2008 MAY 16 PM 4: 11

INITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Ariel PELED et al

Serial No.:

10/051,012

Filed:

Title:

January 22, 2002

A Method For Securing

Digital Content

Group Art Unit: 2131

Attorney Docket Number: 23252

Examiner:

Michael Anthony CERVONE

Mail Stop 16 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR REFUND UNDER 37 CFR 1.26

Sir:

During the course of prosecuting the above-identified application, Applicant filed a Request for Continued Examination (RCE) on September 1, 2006.

Applicant, through error and mistake, erred in calculating the fees required when filing an RCE, and authorized excess filing fee payments based on the total number of claims then pending in the application, as well as the \$395.00 RCE fee, even though no additional claims were introduced at the time of filing of the RCE.

These authorized charges were then debited from Applicant's Deposit Account 501407. It is requested that these excess charges, made by mistake, be refunded to Applicants Deposit Account 501407.

The details of the errors are as follows:

Applicant authorized (see attachment) the RCE filing charge of \$ 395, as well as

\$ 175 for 7 additional claims over 20 even though the above claims had been previously paid for and no new claims were introduced with the filing of the RCE. These charges were debited on September 5, 2006 from Applicants Deposit Account 501407. The charges for the excess claims fees (Fee Code 2202) were not required and paid by mistake.

A refund of \$ 175 is deemed to be in order.

Applicant has not previously asked for a refund of these charges made in error.

Applicant has not been refunded the excess charges requested herein.

This request for refund is being made within two years of the charge against the Deposit Account.

This request for refund is clearly one that was paid by mistake, and in excess of that required and is contemplated by 37 CFR 1.26.

Favorable consideration of this Refund request is earnestly solicited.

Respectfully submitted,

Martin Moynihan,

Registration No. 40,338

Date: May 15, 2008



PTC/SB/30 (09.00)
Approved for use through 10/31/2002, OMB 0651-0031
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REQUEST

CONTINUED EXAMINATION (RCE) **TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/051,012
Filing Date	January 22, 2002
Examiner Name	Michael Anthony CERVONE
First Named Inventor	Ariel PELED
Group Art Unit	2131
Attorney Docket Number	02/23252

NOTE: 37 C.F.R. § 1.114 is wish to consider (ling a could be netert term adjustment)	s effective on Ma alloued prosecut convisions of the	ny 29, 2000, If this ion application (he above-identified a (CPA) under 37 C.F.I Anges to Application	pplication was fill R. § 1.53 (d) (PT Examination and	4 Of the above-toentined a ed prior to May 29, 2000, espicar O/SB/29) instead of a RCE to be of Provisional Application Practice, Gaz. Pat. Office 47 (Apr. 11, 2000	at may eligible for Final Rule, 65
a. Previously s i. Consider to	the amendment(s) the argument (s) the argument (s) (Declaration Disclosure (1) Month ous an of action of month	nent(s)/rephyreferred to above in the above ins. (Period of s	nt (IDS) on fee -identified applic	Reply Brief ation is reque	reviously filed on previously filed on ested under 37 C.F.R. § s; Fee under 37 C.F.R. § 1.17(i) in when the RCE is filed.	
For:	Column	Column	SMALL E	NTITY	OTHER THAN A SMA	ALL ENTITY
10	i No. Filed	2 No. Extra	RATE	FEE	RATE	FEE
Request for Continued Examination (RCE)	·		1	\$ 395		\$ 790
Multiple Dependent Claims	1		0 x \$ 180	\$0	x \$ 360	S
Total Claims	27 - 20=	7	7 x \$ 25	\$ 175	x \$50	S
Independent Claims*	2 - 3=	0	0 x \$ 100	\$0	x \$200	S
			TOTAL	<u>\$570.</u>	TOTAL	<u>\$</u>
50-1407. In the ev	ent additio	nal fees ar event of o	e required, pl	ease chargo lease credi	ng fees to Deposit Acce these additional fees t Deposit Account No.	to Deposit

	SIGNATURE OF APPLICANT,	ATTORNEY, OR AGENT REQUI	(EO
Name (Print/Type)	Martin D. Moynihan	Registration No. (Attorney/Agent	40,338
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Signature

Moth O. Mayurh Date

August 30, 2008



PTO/SB/30 (08-00)

Approved for use through 10/31/2002, OMB 0551-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Act of 1995, no persons are required brespond to a calection of information unless it displays a valid CMB contribution.

REQUEST FOR

CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/051,012
Filing Date	January 22, 2002
Examiner Name	Michael Anthony CERVONE
First Named Inventor	Ariel PELED
Group Art Unit	2131
Attorney Docket Number	02/23252

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 108092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which

established RCE pract	ice					
		under 37	C.F.R. § 1.114	4		
a. Previous	ly submitted					•
i. 🗆 Consid	er the amendi	ment(s)/repl	ly under 37 C.	F.R. § 1.116	previously filed on	•
(Any unent	ered amendment(s)	referred to abo	ve will be entered).	a Daniu Drin	f proviously filed on	• :
		ents in the	Appeal Brief of	or Reply one	f previously filed on	
b. 図 Enclose						
	dment/Reply					
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	ation Disclosu					
	One (1) Mor	th Extensi	on fee		•	
v. 🗆 Other						
2. Miscella	neous					
a. Susper	sion of action of	on the above	e-identified appl	ication is requ	ested under 37 C.F.R. §	
1.103(c) fe	or					
a perio	d of moni	ths. (Period of	suspension shall no	at exceed 3 month	s; Fee under 37 C.F.R. § 1.17(i)	required)
. F			Section and but		when the RCE is filed.	
3. Fees	The RCE fee under	37 G.F.K. § 1.1	(e) is required by	37 C.F.R. 3 1. 114	•	
For:	Column	Column	SMALL ENTITY OTHER THAN A SMALL EN		ALL ENTITY	
	1 No.	2 No.	RATE	FEE	RATE	FEE
	Filed	Extra			-	•
Request for			1	\$ 395		\$ 790
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Total Claims	27 - 20=	'	/ 3 3 23	\$173	x 330	•
					- 6200	
Independent	2 - 3=	0	0 x \$ 100	\$ 0	x \$200	3
Claims*						
			TOTAL	<u>\$570.</u>	TOTAL	<u>\$</u>
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Name	Martin D. N	/loynihan	Reg	istration No	0. 40,338	501407 10851
(Print/Type)			. (Att	omey/Agen	5/2686 JADDO1 88888898	10001

Date

Martin D. Mapulan Signature,

ANGUSEBO, 20085-88 DA

Adjustment date: 05/22/2008 SDIRETA1 09705/2006 JADD01 00000098 501407 10051012 02 FC:2202 175.00 CR